

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE EDGARDO NICOLAS MARTINEZ PEREZ Debtor	CASE NO. 16-05934(BKT) CHAPTER 13
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**STIPULATION TO MODIFY THE AUTOMATIC STAY IN FAVOR
OF BANCO SANTANDER PUERTO RICO**

TO THE HONORABLE COURT:

By counsel, secured creditor Banco Santander Puerto Rico (hereinafter “BSPR”) and Debtor (hereinafter referred to as “the parties”) hereby agree and stipulate as follows:

1. Debtor filed his latest proposed amended Chapter 13 plan at Dk. No. 178.
2. BSPR is a secured creditor with a lien over all of Debtor’s accounts receivables. See, Claim #12.
3. Debtor proposes for the Chapter 13 trustee to pay BSPR’s secured claim #12 in full at 4.25% interest rate.
4. Debtor provides for secured creditors to retain their liens pursuant to section 8.3 of his latest proposed plan dated November 2, 2018 at Dk. No. 178.
5. However, in order for BSPR to actually retain its lien over Debtor’s accounts receivables it must renew its UCC filing at the PR State Department.
6. Debtor hereby agrees and stipulates for this Honorable Court to modify the automatic stay provided in section 362 of the Bankruptcy Code to allow BSPR to renew its UCC filing for the lien over Debtor’s accounts receivables to be renewed as many times as necessary with the PR State Department until the Chapter 13 Trustee pays BSPR in full as provided in Debtor’s

proposed plan dated November 2, 2018, or deem said action authorized pursuant to the exception provided in section 362(b)(3) of the Bankruptcy Code.

NOTICE

Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico and serve a copy of the same on the appearing parties and the US Trustee's Office. If no objection or other response is filed within the time allowed herein, the relief sought will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the court, the interest of justice requires otherwise.

WHEREFORE, it is respectfully requested from this Honorable Court to enter an order approving this stipulation with any other redress it may deem just and proper.

CERTIFICATE OF SERVICE: This document was filed with the U.S. Bankruptcy Court for the District of Puerto Rico using the CM/ECF filing system, which will send a copy of this motion to all registered parties including: **William Rivera - Vélez, Esq.**, Counsel for Debtor, to the **U.S. Trustee Office** and to, **José R. Carrión - Morales, Esq.**, **Chapter 13 Trustee**. A copy of this document was also sent by First Class Mail to **Edgardo Nicolás Martínez - Pérez**, Debtor, 11245 NW 46th LN, Doral, FL 33178 and to all creditors and parties in interest as per the attached master address list.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico on this 23 day of January 2019.

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LAW OFFICES

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Case 16-05934-BKT13
District of Puerto Rico
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Tue Feb 7 04:54:46 AST 2017

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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

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